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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,220	12/16/2004	Markku Rytivaara	KOLS.169US	5731

7590 04/25/2007
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EXAMINER

SHAPIRO, LEONID

ART UNIT	PAPER NUMBER
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2629

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/518,220	Applicant(s) RYTIVAARA ET AL.	
	Examiner Leonid Shapiro	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9-13, 15, 18-23, 26-30 and 32 is/are rejected.
- 7) ☒ Claim(s) 7, 8, 14, 16, 17, 24, 25, 31, 33 and 34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9-2-05</u> | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1,4,6,9-11,13,15,18,21,23,26-28,30,32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith Pub. No.: US 2004/0245352 A1) in view of Narayanaswami (US Patent 6,720,860 B1).

As to claim 1, Smith teaches a method of deactivating a touch screen lock in a portable electronic device comprising a touch screen and means for locking the touch screen (See paragraph 0004, 0009) the method comprising:

detecting touches on predetermined contact area on the touch screen during touch screen lock (See Fig 5B, item 566, paragraph 0067 and 0009); and

deactivating the touch screen lock once said touch on the predetermined contact area are detected (See Fig 5B, item 566, paragraph 0067 and 0009).

Smith does not disclose touches on predetermined contact areas in given order.

Narayanaswami teaches touches on predetermined contact areas in given order (See Figs. 6a-6b, Col. 10, Lines 13-52).

It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate teaching of Narayanaswami into Smith system in order to provide a further password protect element (See Col. 10, Lines 13-16 in the Narayanaswami reference).

As to claim 18, Smith teaches a portable electronic device comprising a touch screen and means for locking the touch screen (See paragraph 0004, 0009) the method comprising:

detecting touches on predetermined contact area on the touch screen during touch screen lock (See Fig 5B, item 566, paragraph 0067 and 0009); and

deactivating the touch screen lock once said touch on the predetermined contact areas are detected (See Fig 5B, item 566, paragraph 0067 and 0009).

Smith does not disclose touches on predetermined contact areas in given order.

Narayanaswami teaches touches on predetermined contact areas in given order (See Figs. 6a-6b, Col. 10, Lines 13-52).

It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate teaching of Narayanaswami into Smith system in order to provide a further password protect element (See Col. 10, Lines 13-16 in the Narayanaswami reference).

As to claims 4,21 Smith teaches detecting a touch on a predetermined reset area (in the reference a predetermined reset area is equivalent to the lock touch icon) on the touch screen during touch screen lock, and entering touch screen lock deactivation state based on the touch on the reset area (See Fig 5B, item 566, paragraph 0067).

As to claims 6,23, Narayanaswami teaches exiting the touch screen lock deactivation state when no touch on the contact area on the touch screen is detected within a predetermined period of time (See Figs. 6a-6b, Col. 10, Lines 13-52).

As to claims 9,13,26,30 Narayanaswami teaches detecting a touch on the predetermined contact areas of the touch screen when the touch on the contact area continues for a predetermined period of time (See Figs. 6a-6b, Col. 10, Lines 13-52).

As to claims 10-11,27-28 Smith teaches entering the device lock state when the touch on the contact areas occurs in a non-predetermined manner (in the third set of icons) a predetermined number of times in succession (second time) (See paragraph 0009).

As to claims 15,32 Narayanaswami teaches displaying one or more predetermined background images, animations or multimedia presentations on the touch screen during touch screen lock in order to facilitate remembering the predetermined contact areas (See Figs. 6a-6b, Col. 10, Lines 13-52).

2. Claims 2-3,19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith, Narayanaswami in view of Hirayama et al. (US Patent No. 5,406,307).

As to claims 2,19 Smith, Narayanaswami do not disclose reducing the size of the predetermined contact areas when a touch on a predetermined contact area fails.

Hirayama et al. teaches reducing the size of the predetermined contact areas when coordinate shifted by a large amount (See Fig. 4B, items ST4,ST6, Col. 6, Lines 37-63).

It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate teaching of Hirayama et al. into Smith, Narayanaswami system

in order to activate or deactivate a designated function (See Col. 1, Line 54 in the Hirayma et al. reference).

As to claims 3,20, it generally considered to be within the ordinary skill in the art to adjust, vary, select or optimize the numerical parameters or values of any system absent of showing criticality of in a particular recited value. Thus, it would have been obvious to one of ordinary skill in the art at the time of invention to reduce the size of predetermined contact area by at least 25 percent. Such a limitation would have been considered as obvious variation on the matter of selected reduction which fails patentably distinguish over the prior art of Hirayama et al. and Smith. In re Rose, 105 USPQ 237 (CCPA 1955).

3. Claims 5,12,22,29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith, Narayanaswami in view of Suzuki (US Patent 6,862,687 B1).

As to claims 5,22 Smith, Narayanaswami do not disclose exiting the touch screen lock deactivation state when the touch on the predetermined contact area fails.

Suzuki teaches exiting the touch screen lock deactivation state when the touch on the predetermined contact area fails (See Fig. 2, items S28,S30, Col. 4, Lines 57-64).

It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate teaching of Suzuki into Smith, Narayanaswami system in order to prevent information being accessed by unauthorized persons (See Col. 1, Lines 16-19 in the Suzuki reference).

As to claims 12,29 Smith, Narayanaswami do not disclose signal is sound.

Suzuki teaches generating an alarm (See Fig. 2, item S30, Col. 4, Lines 57-64).

It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate teaching of Suzuki into Smith, Narayanaswami system in order to prevent information being accessed by unauthorized persons (See Col. 1, Lines 16-19 in the Suzuki reference).

Allowable Subject Matter

4. Claims 7-8,14,16-17, 24-25,31,33-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Relative to claims 7,24 the major difference between the teaching of the prior art of record (Smith, Narayanaswami) and the instant invention is detecting a touch on the reset area after a touch on the predetermined contact areas.

Claims 8,25 depend on claims 8,24.

Relative to claims 14,31 the major difference between the teaching of the prior art of record (Smith, Narayanaswami) and the instant invention is playing a predetermined sound during the touch screen lock to facilitate remembering the predetermined timeslots.

Relative to claims 16,33 the major difference between the teaching of the prior art of record (Smith, Narayanaswami) and the instant invention specifying, in user

profiles, the contact areas based on whose touching the touch screen lock is deactivated.

Claims 17,34 depend on claims 16,33.

Telephone Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 571-272-7683. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LS

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02.20.07

A handwritten signature in black ink, appearing to read 'R. Hjerpe', is positioned above the printed name.

RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600